

R307-328

2. Title: Davis, Salt Lake, Utah, and Weber Counties and Ozone Nonattainment Areas: Gasoline Transfer and Storage.

3. Type of notice: Amend

4. Purpose of the rule or reason for the change:

The purpose of this amendment is to clarify the rule by deleting obsolete language, clarifying distinction between R307-342 and R307-328, adding language to align the rule with the new ozone maintenance plan, and making other minor grammatical corrections. These amendments are part of revisions to rules related to the ozone maintenance plan (see separate filing on R307-307-101-2, R307-110-13, R307-320, R307-326, R307-325, R307-327, R307-332, R307-335, R037-340, R307-341, R307-342, and R307-343 in this issue.)

6. Summary of the rule change:

R307-328 and R307-342 (see separate filing on R307-342 in this issue) work together to establish the Stage I Vapor Recovery requirements. In general, the provisions in R307-328 apply to the refinery or bulk storage plant where gasoline is loaded into a truck for delivery, the transport vehicle, and the gas station where the gasoline is unloaded into the underground storage tank. R307-342 establishes the requirements for the vapor tightness testing contractor. However, there are some provisions that do not follow this general split. Both rules have been revised to make this division clearer, so that each entity will find all of the applicable requirements in one rule, rather than split between two rules. In addition, references to Salt Lake and Davis Counties were replaced by the term “ozone maintenance area.” Other grammatical corrections were made throughout R307-328 to improve the readability of the rule. Obsolete language was deleted throughout the R307-328. Further, the applicability, testing, and compliance provisions that were located in R307-325-1 were moved into R307-328. These amendments are part of revisions to rules related to the ozone maintenance (see separate filing on R307-307-101-2, R307-110-13, R307-320, R307-326, R307-325, R307-327, R307-332, R307-335, R037-340, R307-341, R307-342, and R307-343 in this issue.)

7. Aggregate anticipated cost or savings to:

- a. State budget:** Because these revisions do not create any new requirements, no change in costs is expected to the state budget.
- b. Local government:** Because these revisions do not create any new requirements, no change in costs is expected for local governments.
- c. Other persons:** Because these revisions do not create any new requirements, no change in costs is expected for other persons.

8. Compliance costs for affected persons:

Because these revisions do not create any new requirements, no change in costs is expected for affected persons.

9. Comments by the Dept head on the fiscal impact the rule may have on businesses:

Because these revisions do not create new requirements, no change to costs is expected for businesses. (Dr. Dianne R. Nielson, Executive Director, Department of Environmental Quality)

10. Authorizing statute: 19-2-104(1)(a)

11. Materials incorporated by reference?

12. Public comment and hearing info: October 17, 2006 at 2 pm in Room 101 of the DEQ Building at 168 N 1950 West in Salt Lake City.

13. May become effective on: December 7, 2006

14. Keywords: air pollution, gasoline transport, ozone

Authorizing signature

Date